The Revision of Q-37

Reducing the pest risk associated with the importation of plants for planting

Plants for Planting

- Code of Federal Regulations (CFR) 319.37 is the principal regulation governing the import of plants for planting
- Other related regulations also covered in the revision
  - 319.15 Sugarcane
  - 319.19 Citrus & related genera
  - 319.24 & .41 Corn & related genera
  - 319.55 Rice
  - 319.59 Wheat

Risks Associated with the Importation of Plants for Planting

- Difficult to establish origin
- Difficult to inspect at ports of entry
- Many pests borne internally
- Introduced pests likely to become established
- Production facilities moving off shore to remain competitive
  - – examples: geranium, tropical foliage, poinsettia
- Inadequate information on pests that may have quarantine significance
  - Distribution of known quarantine pests
  - Pests of unknown quarantine significance

The Results: Pests that could have entered with plants for planting

- Plum pox potyvirus
- Sudden oak death
- Longhorn beetles, cedar, citrus, Asian
- Emerald ash borer
- Red gum lerp psyllid
- Eucalyptus pitch canker
- Hemlock wooly adelgid
- Pink hibiscus mealybug
- Ralstonia solanacearum race 3, biovar 2

Corn cyst nematode
Karnal bunt
Dogwood anthracnose
Daly lily rust
Citrus Canker
Devil's tearthumb
Japanese knotweed
Tropical Soda apple

Basic Premise of Q-37

- Majority of plant taxa are enterable with only a port of entry inspection.
- Some plants for planting are further restricted by additional requirements
- Pest risk analysis required only for certain types of importations

Comparison of Q-37 Original Intent vs Current Practice

	Early Years	Now
Trading Partners	Europe	Worldwide
# of Items Allowed Import	Limited (< 100 items) germplasm of clonal material only	Unlimited
Fumigation	Mandatory on all Imported Stock	Only When Quarantine Pest Found
Likely Purpose of Importation	Nursery propagation program “starter” material **Slow distribution**	Direct field/homeowner planting **Immediate distribution**

Comparison of Import Requirements Q-56 and Q-37

	Q-56	Q-37
Enterability	Only specific taxa/country combinations	All taxa except specifically prohibited
Risk assessment & mitigation	Required before importation	Only plants in growing media
Monitor and audit mitigation	Usual	Seldom
Genera imported	@200	Several Thousand
Origin of import	Part of PRA	Difficult to detect

Comparison of Pest Risk Q-56 and Q-37

	Q-56	Q-37
Product as source	Days to Weeks	Months to Years
Risk reduction	PRA, mitigation measures, visual inspection	Visual inspection at port
Suitable host/ Environment for establishment	Less likely	More likely

Types of Change

- Operational – Improve the way we do business
- Regulatory – Complex, multiple changes expected, minimize impact, maximize reduction in pest risk
- Stakeholder – Resistance, transparency, acceptance

Q-37 – Revision
Principal Activities

- **Project Design:**
  - Policy initiatives and implementation strategies to review, revise, and monitor new program and the change process.
- **Rule-making initiatives**:
  - Facilitate regulatory changes to decrease pest risk and meet international obligations, safeguarding recommendations, and the Plant Protection Act.
- **Accreditation/Certification Programs**:
  - Implement creative methods to protect against plant pests while facilitating international trade.

Q-37 - Revision
Principal Activities (cont)

- **Plant Import Data Compilation:**
  - Assess plant taxa being imported; including their volume, origins, and potential impacts.
- **Pest Risk Determination Systems:**
  - Pest risk criteria, ranking, evaluation, and assessment.
- **Operational Actions:**
  - Plan and implement needed operational changes, resources and other needs.
- **Outreach/Coordination:**
  - Stakeholder collaboration, public meetings/outreach, and coordination.

Revising Q-37: Highlights of the 1st ANPR

- Programs to reduce risk of entry and establishment
- Establish a new import entry category
- Improve data collection to determine taxa imported, origin, and volume
- Develop rapid pest risk evaluation methodology
- Reevaluate taxa currently prohibited
- Incorporate all plants for planting into one regulation

Revising Q-37:
Highlights of the 1st ANPR (cont)

- Programs to reduce risk of entry and establishment
  - Accredited programs
    - Clean stock for foreign exporters
    - Best practices for importers

Elements of an Accredited Clean Stock Program

- Incentive for grower participation
- NPPO set standard, provide review, approval and oversight
- Accredited grower pest management program (e.g., best practices, ISO)
  - (including pest free propagation material)
- US review and approval
- NPPO and US monitor and audit production and shipments
- Penalties and remedial action for non-compliance

Revising Q-37:
Highlights of the 1st ANPR (cont)

- Establish a new import entry category

  (Plant taxa would be 'excluded pending risk evaluation and approval' – Q-56 model)

  - Two approaches possible
    - All taxa that have not already entered the US
    - Only for taxa where reasonable indication of pathway for invasive pest or is invasive pest
  - Criteria science-based but less stringent than PRA

Revising Q-37:

Highlights of the 1st ANPR (cont)

- Improve data collection to determine taxa imported, origin, and volume
  - No one source for data
  - Resources needed for input, maintenance, & analysis
  - Support regulation change, grandfathering taxa
- Develop rapid pest risk evaluation methodology
  - Accurate, efficient, timely
  - High output, large number already needed
  - Include weediness screen

Revising Q-37:
Highlights of the 1st ANPR (cont)

- Reevaluate taxa currently prohibited
  - Not just Q-37, also Q-19, 41, 55, etc.
    - Listed pest widespread, new pest distribution
  - Need PRA to determine all pests of concern
- Incorporate all plants for planting into one regulation
  - Promote clarity, consistency, and transparency
  - Possibly include Noxious weeds